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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/575,491

05/18/2000

Jonathan Wu

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01/11/2005

CENTRAL COAST PATENT AGENCY

PO BOX 187

AROMAS, CA 95004

EXAMINER

BASHORE, WILLIAM L

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 01/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/575,491

Applicant(s)

WU ET AL.

Examiner

William L. Bashore

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☒ Claim(s) 11 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: RCE and amendment, both filed 9/27/2004, to the original application filed 5/8/2000. Instant application is a CIP of 09/323,598 (filed 6/1/1999), now U.S. Patent No. 6,199,077, which is a CIP of 09/208,740 (filed 12/8/1998), now U.S. Patent No. 6,412,073. The instant application is also a CIP of 09/550,348 (filed 4/14/2000), pending.
2. Claims 1-10 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Joachims, and Lieberman.
3. Claims 1-12 pending. Claims 11-12 have been added. Claims 1, 7 are independent claims.

Continued Examination Under 37 CFR 1.114

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/27/2004 has been entered.

Allowable Subject Matter

5. Claims 11, 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joachims, T. et al. (hereinafter Joachims), WebWatcher: A Tour Guide for the World Wide Web, Proceedings of the 1997 IJCAI, August 1997, pages 1-6, in view of Lieberman, agents, ACM Conference on Human Factors and Computing Systems, March 27, 1997, pages 67-74.

In regard to independent claim 1, Joachims teaches a server based application for helping a user to surf the web, by capturing URLs selected by a user (Joachims page 2 left column, near bottom, also right column at section 3 “Accompanying the user”; compare with claim 1 preamble “A method for practicing...user-selected URLs comprising the steps of.”, and “a server-side utility for receiving URLs captured by the client-side utility”).

Joachims does not specifically disclose “data summarization”. However, Joachims teaches fetching a web page (associated with a URL), to which suggestions are made by highlighting certain links (URLs) of said web page (see Joachims page 2 right column, near top, also Figure 1 link item “projects”), providing the suggestion of summarizing URL data, since the highlighted link title “projects” is a form of summarization of its associated web page content, which in turn is associated with the original presented (URL) web page. It would have been obvious to one of ordinary skill in the art at the time of the invention to interpret Joachims as providing a summary, providing a user of Joachim’s WebWatcher the benefit of web page summarization to aid in user decision making (compare with claim 1 preamble “data summarization”).

Joachims teaches gathering URL data selected by a user, gathering its associated web page data, and

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returning said page along with customizations and additions added by WebWatcher to help in user navigation (Joachims page 2 section 2 “Trace of WebWatcher”, especially column 2 near top; compare with claim 1 “a navigation and data-gathering utility for navigating to and....other data from Web pages associated with the captured URLs”). Joachims does not specifically teach gathering “content” from said Web pages. However, Lieberman teaches channel surfing related URLs, and keep a window continuously displaying pages (content) which may be of interest to the user (Lieberman page 69, bottom of column 1 to top of column 2, also image on same page; compare with claim 1 “...gathering information from Web pages...”). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Lieberman to Joachims, providing a user of Joachims the benefit of seeing suggested Web page content for more accurate selection.

Joachims teaches gathering URL data (at a server) selected by a user, gathering its associated web page data, and returning said page along with customizations and additions added by WebWatcher to help in user navigation, said process involving a form of proxy navigation (Joachims page 2 beginning of section 3 “Accompanying the User”, also page 2 section 2 “Trace of WebWatcher”, and Figure 2; compare with claim 1 “characterized in that a user operating....proxy navigation to and data gathering from a WEB page associated with the URL. ”).

Joachims teaches a related application (Letizia), located on a single user’s machine (Joachims page 5 section 5 “Related Work”). Joachims does not specifically teach WebWatcher as a client-side application for capturing URLs, nor does Joachims disclose that Letizia’s single user implementation is specifically client-sided. However, Lieberman teaches the same program Letizia, which records user chosen URLs, said program running on the client-side (Lieberman page 69 left column, section “Letizia: An autonomous interface agent for Web browsing”, second paragraph, also page 73 section “Related work”; compare with claim 1 “client-side utility”). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Lieberman’s client-side method to Joachims WebWatcher, providing Joachims the benefit of client side applications to help lighten the burden on a server.

In regard to dependent claim 2, Joachims teaches WebWatcher utilizing the Internet (World Wide Web) (Joachims page 3 Figure 2).

In regard to dependent claims 3, 4, Joachims teaches that WebWatcher can assist a user running any type of Web browser (Joachims page 5 right column, at bottom). Joachims does not teach a client-side utility separate from a book-marking utility. However, Lieberman teaches client-based Letizia, which interfaces with a browser, said method capturing URLs not utilizing a book-marking utility (Lieberman Figure on page 69, also page 69 sections “Letizia: An autonomous interface agent for Web browsing”, and “Letizia ‘channel surfs’ the Web”). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Lieberman to Joachims, providing Joachims’s WebWatcher the benefit of URL capturing separate from a book-mark list, for increased privacy.

In regard to dependent claim 5, Joachims teaches that WebWatcher can assist a user running any type of Web browser (Joachims page 5 right column, at bottom). Joachims does not teach a client-side utility as a browser plug-in. However, Lieberman teaches client-based Letizia, which interfaces with a browser (Lieberman Figure on page 69). Since Letizia integrates itself with a browser, Letizia can be fairly interpreted within the scope of the art as a “plug-in”. It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Lieberman to Joachims, providing Joachims’s WebWatcher the benefit of client-side plug-in behavior for integrating with a user’s preferred browser.

In regard to dependent claim 6, Joachims does not specifically teach returning an HTML summary, as claimed. However, Joachims teaches fetching a web page (associated with a URL), to which suggestions are made by highlighting certain links (URLs) of said web page (see Joachims page 2 right column, near top, also Figure 1 link item “projects”), providing the suggestion of HTML summarization, since the highlighted HTML

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link title “projects” is a form of summarization of its associated web page data, which in turn is associated with the original presented (URL) web page. It would have been obvious to one of ordinary skill in the art at the time of the invention to interpret Joachims (as applied with Lieberman’s returning of content as explained above), in this fashion, providing a user of Joachim’s WebWatcher the benefit of web page summarization to aid in user decision making.

In regard to independent claim 7, claim 7 reflects the method comprising computer executable instructions used in performing the system as claimed in claim 1, and in further view of the following, is rejected along the same rationale.

Joachims teaches a related application (Letizia), located on a single user’s machine (Joachims page 5 section 5 “Related Work”). Joachims does not specifically teach WebWatcher as accepting URLs from outside a server (i.e. a client-side browser application) for capturing URLs, nor does Joachims disclose that Letizia’s single user implementation is specifically client-sided. However, Lieberman teaches the same program Letizia, which records user chosen URLs, said program running on the client-side (Lieberman page 69 left column, section “Letizia: An autonomous interface agent for Web browsing”, second paragraph, also page 73 section “Related work”; compare with claim 7 “initiating capture of a URL associated with a Web page presented in a browser while browsing the Internet”). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Lieberman’s client-side method to Joachims WebWatcher, providing Joachims the benefit of client side applications to help lighten the burden on a server.

Joachims teaches highlighting promising links to a user within a page, the links (i.e. a list of hyperlinks) are associated with the URL of a returning page (Joachims page 2 section “Accompanying the User”; compare with claim 7 “associating the captured URL information with other URL information contained in a list of URL data”).

In regard to dependent claim 8, Joachims does not specifically teach a machine cache residing on a user's machine. However, the use of hardware and software caches for holding data (i.e. L1, L2, Windows, Netscape caches) are well known in the computer arts, therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to implement a machine cache for holding URL data, so as to acquire the benefit of quick retrieval.

In regard to dependent claim 9, Joachims teaches WebWatcher residing on a Web server acting as a form of a proxy (Joachims page 2 section "Accompanying the User", also Figure 2).

In regard to dependent claim 10, Joachims teaches that WabWatcher can assist any Web user running any type of Web browser (Joachims page 5 right column, at bottom). Joachims does not specifically teach user editing a navigation request (i.e. from said browser). However, it is well known in the software art that placing a mouse over a URL link in a browser (i.e. Netscape, Internet Explorer), results in visual display of the URL path on the bottom bar of the browser screen. A user can then input a modified URL path via a browser's input window, accordingly. It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize this feature within Joachims, providing a user of WebWatcher the benefit of last minute editing.

Response to Arguments

7. Applicant's arguments filed 9/27/2004 have been fully and carefully considered but they are not persuasive.

Applicant argues on pages 5-7 of the amendment that Joachims summarizes URLs, not content data from Web pages. In additional support of the instant rejections, it is noted that Joachims heading "projects" reflects a description of the underlying URL address. This particular descriptive heading at least suggests summarization of the URL's Web page content, because it describes the specifics of the Web page content.

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Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Bashore whose telephone number is (571) 272-4088. The examiner can normally be reached on 11:30am - 8:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

William L. Bashore

WILLIAM L. BASHORE
PATENT EXAMINER
TECH CENTER 2100

January 6, 2005